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LETTER DATED 2 FEBRUARY 1994 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Further to my Foreign Minister's letter of 29 January 1994 to your predecessor (S/1994/101) and the Secretary-General's letter of 1 February to Your Excellency (S/1994/109), I wish to emphasize the following:

My Government does not deny that there are regular Croatian Army troops in the border areas between the Republic of Croatia and the Republic of Bosnia and Herzegovina. They are stationed there in accordance with the Joint Agreement of 12 July 1992 between my Government and the Government of the Republic of Bosnia and Herzegovina. Repositioning of those troops would seriously undermine the territorial integrity and security of the Republic of Croatia.

Such a shift in the balance of forces vis-à-vis the Serbian side and in respect of the defence of large population centres on the Croatian Dalmatia coast would seriously jeopardize the support for my President's peace initiative, presently under debate in the Parliament, to normalize relations with Belgrade and with Sarajevo. My Government cannot accept the simplistic interpretation of the Joint Declaration with Belgrade of 19 January 1994 as being directed against the non-participatory side. In fact, my President has today proposed to the visiting Prime Ministers of Turkey and Pakistan to mediate the continuation of negotiations between the Croatian and the Bosnian Muslim sides on the Bonn-Petersberg proposal by the Croatian side, before all delegations resume talks at Geneva on 10 February. The Security Council will find that the Joint Declaration between my Government and Belgrade is in the full spirit of Security Council resolution 871 (1993), the CSCE Rome final documents (see S/26843) and the modus vivendi of the European Union Action Plan of 22 November 1993.

My Government remains concerned about the welfare of ethnic Croat citizens of the Republic of Bosnia and Herzegovina, which are under siege by the Army of Bosnia and Herzegovina in the Vitez, Kiseljak, Usora and Zepce enclaves and elsewhere. We have on numerous occasions appealed to the Security Council that

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the ethnic Croat citizens of Bosnia and Herzegovina should be treated equally, as are the Muslim citizens under siege in Srebrenica, Zepa, Gorazde, Sarajevo, Tuzla, and Bihac; and that the enclaves of Vitez, Kiseljak, Usora and Zepce be declared safe areas in accordance with the principles of resolution 824 (1993). My Government also appealed to the Council on 2 December 1993 (S/26835) and on 24 January 1994 to consider the issue of gross violations of international humanitarian law by the Government forces against the Croat citizens in Bosnia and Herzegovina. The Government forces have committed at least eight mass executions of Croat citizens of Bosnia and Herzegovina since July.

Under such circumstance, where the Council does not have the resources to protect the Croat citizens of Bosnia and Herzegovina, my Government has no moral right to prevent the Croatian volunteers from helping the imperilled Bosnian Croat community, which makes up 18 per cent of the country's population, but has been expelled onto 10 per cent of the country's territory.

My Government believes that a military solution to the problem of Bosnia and Herzegovina or to the problem of United Nations protected areas in Croatia is not an acceptable solution, and will continue to favour international intermediation in this regard. We especially welcome an international verification mechanism on the number, presence and intentions of the Croatian Army troops and the Croatian volunteers on the territory of Bosnia and Herzegovina. In this respect, I wish to reiterate my President's appeal to the Council of 16 July 1993 (S/26101, annex) regarding the control of Croatia's and Bosnia and Herzegovina's borders, and would welcome immediately such a mechanism.

If the Security Council is ready to propose a better solution to the crisis in the region than the solution being pursued by the International Conference on the Former Yugoslavia, my Government is prepared to consider that proposal, but wishes to advise the Council that any serious shift in the balance of forces in the region can undermine the present process. In this regard, my Government appeals to the Council to give full and unqualified support to the International Conference on the Former Yugoslavia, and specifically the Owen/Stoltenberg peace plan for Bosnia and Herzegovina, and to notify all of the parties concerned that this is the only possible way to bring to an end the grave human tragedy in the region.

May I request that Your Excellency circulate this letter as a document of the Security Council.

(Signed) Mario NOBILO
Permanent Representative